

PTO 1390 Page 1 of 1

US Dept. of Commerce Pat. & Trademark Office

Attorney's Docket No.

23155

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 USC 371**

US Application No. (if known)

10/520999INTERNATIONAL APP. NO.
PCT/DE2003/002290INTERNATIONAL FILING DATE
8 July 2003PRIORITY DATE CLAIMED
10 July 2002

TITLE OF INVENTION

NUCLEOTIDE SEQUENCES THAT ENCODE DEREGULATED PHOSPHOGLYCERAPPLICANT(S) FOR DO/EO/US
Lothar EGGEILING et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EU/US) the following .

1. This is a **FIRST** submission of items concerning a filing under 35 USC 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
3. This is an express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 317(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 USC 371(c)(2)).
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Patent Office.
6. A translation of the International application into English.
7. Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3)).
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. A translation of the amendments to the claims under PCT Article 19 (35 USC 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 USC 371(c)(4)).
10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 USC 371(c)(5)).

Items 11. to 16. below concern documents or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An Assignment for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A **FIRST** preliminary amendment.
- A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. A substitute specification.
15. A change of power of attorney and/or address letter.
16. Other items of information.

Drawing (8 sheets)

References

PTO-1449

US Application no. (if known)

10/520999

International Application no.

PCT/DE2003/002290

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23155

17. The following fees are submitted:

Basic National Fee (37 CFR 1.492(a)(1)-(5):

Search report has been prepared by the EPO or JP \$950.00

Int'l prel. exam. fee paid to USPTO (37 CFR 1.482) \$750.00

No int'l prel. exam. fee paid to USPTO (37 CFR 1.482)
but int'l search fee paid to USPTO (37 CFR 1.445(a)(2)) \$790.00Neither int'l prel. exam fee (37 CFR 1.482) nor
int'l search fee (37 CFR 1.455(a)(2)) paid to USPTO \$1000.00Intl. prel. exam. fee paid to USPTO (37 CFR 1.482)
and all claims satisfied provisions of PCT Art. 33(2-4) \$200.00

CALCULATIONS PTO USE ONLY

\$1,000

ENTER APPROPRIATE BASIC FEE AMOUNT

Surcharge of \$130.00 for furnishing oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

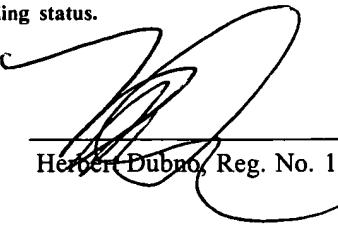
CLAIMS	NO. FILED	NO. EXTRA	RATE	
Total claims	27	7	\$50	\$350
Ind. claims	6	3	\$200	\$600
MULTIPLE DEP. CLAIM(S) (if applicable) (see prel. amt.)		360		\$360.00
TOTAL OF ABOVE CALCULATIONS				\$2,310
Reduction of ½ for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (37 CFR 1.2, 1.27, 1.28)				\$0
SUBTOTAL				\$2,310
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				
TOTAL NATIONAL FEE				\$2,310
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The Assignment may be accompanied by an appropriate PTO-1595 cover sheet (37 CFR 3.28, 3.39)				
TOTAL FEES ENCLOSED				
Amt to be refunded				
Amt to be charged				

- a. A check in the amount of \$ to cover the above fees is enclosed
- b. Please charge my deposit account 18-2025 \$ to cover the above fees. A copy of this sheet is enclosed.
- c. Please charge the amount due to the credit card identified in the attached PTO-2038.
- d. The commissioner is authorized to charge any additional fees which may be required or credit any overpayment to deposit account 18-2025. A copy of this sheet is enclosed
- e. A PTO-2038 in the amount of \$ to cover recordal of the Assignment is enclosed

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Send all correspondence to:

The Firm of Karl F. Ross P.C.
5676 Riverdale Ave. Box 900
Riverdale (Bronx), NY 10471


 Herbert Dubno, Reg. No. 19,752

CERTIFICATE OF EXPRESS OR
FIRST CLASS MAIL

10/520999

I hereby certify that this correspondence is
mailed _____ by _____ United States
Postal Service and class _____ or
Express Mail if the number of the Express
Mail mailing label is provided below in an
envelope addressed to: Commissioner of
Patents and Trademarks, Washington, D.C.
20231, on _____

JAN 7 2005

(Date of Deposit)

TEV467341926

Express Mail Label Number

Signature

The Firm of Karl F. Ross, P.C.

23155

IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor Lothar EGGELING et al
Patent App. Not known (US Nat'l phase of
PCT/DE2003/002290)
Filed Concurrently herewith
For NUCLEOTIDE SEQUENCES THAT ENCODE Deregulated
 PHOSPHOGLYCER

Hon. Commissioner of Patents
Box 1450 Alexandria, VA 22313-1450

RECORD OF TRANSMITTAL--PCT APPLICATION

- PCT Transmittal
- PCT Application
- Translation
- Sheets of Drawing (8)
- PCT Declaration
- PCT Documents
- International Search Report
- Preliminary Amendment
- Assignment
- Reference(s) with PTO-1449
- Sequence Listing
- Receipt of original deposit of a microorganism and Viability Statement
- PTO-2038 for Official Fees
- Basic Fee (Large Entity) \$1000.00
 - 3 ind. claims in excess of 3 \$600.00
 - 7 claims in excess of 20 \$350.00
 - Multiply dependent claim(s) present \$360.00

Total \$2310.00

Please charge any fees not covered by an enclosed PTO-2038 to account 18-2025 of the undersigned.

7 January 2005

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Customer No. 535
rg

Respectfully submitted,
The Firm of Karl F. Ross P.C.

Herbert Dubno, Reg. 19,752

10/520999

JT12 Rec'd PCT/PTO 07 JAN 2005

23155 PC

State of New York)
County of the Bronx) ss:

TRANSLATOR'S AFFIDAVIT

I, Herbert Dubno, a citizen of the United States of America, residing in Bronx (Riverdale), New York, depose and state that:

I am familiar with the English and German languages;

I have read a copy of the German-language document attached hereto, namely PCT/DE2003/002290; and

The hereto-attached English-language text is an accurate translation of the above-identified German-language document.



Herbert Dubno

Sworn to and subscribed before me
20 December 2004

Elise Friedman
Elise Friedman
Notary Public

ELISE FRIEDMAN
NOTARY PUBLIC, State of New York
No. 4715730
Qualified in Bronx County
Commission Expires May 31, 2006